Convention on the Rights of the Ch[illegible]

Distr.: General
16 February 2018

Original: English
English, French and Spanish only

Committee on the Rights of the Child
Seventy-eighth session
14 May–1 June 2018
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the combined second and third periodic reports of Montenegro

Addendum

Replies of Montenegro to the list of issues*

[Date received: 13 February 2018]

* The present document is being issued without formal editing.

GE.18-02449(E)
1802449

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Part I

Question 1. Please clarify how the Council for the Rights of the Child by the Ministry of Labor and Social Welfare ensures a role in the coordination of various Ministries in the implementation of the Convention and the Optional Protocols. Please indicate which Ministries are represented in the Council, and whether there are plans to ensure greater participation of children in the work of the Council.

1. The Council is an expert advisory body established by the Minister of Labor and Social Welfare. The Council consists of representatives of bodies and organisations able to significantly contribute to the improvement of the position of children, such as: the representatives of the Ministry of Health, the Ministry of Education, the Ministry of Justice, the Ministry of Interior, the Ministry of Minority Rights, the Ministry of Culture, the representatives of various NGOs dealing with children, a representative of children. We have plans to ensure greater participation of children in the work of the Council in the future. The topics discussed at the Council's sessions are being prepared in agreement with the Council members and we are always trying to keep on the agenda the current topics in terms of protecting the child rights.

2. The task of the Council is to monitor the fulfilment of Montenegro's obligations arising from the Convention on the Rights of the Child and other international documents relating to the protection of the rights of the child, to protect and promote the rights of the child in the field of social and child care, health care, education and other areas of importance for the protection of the rights and interests of the child; to monitor the implementation of the regulations related to the protection of the rights of the child; initiate the adoption of regulations for the promotion and protection of the rights of the child; improve cooperation with the local self-government in the process of implementation and protection of the rights of the child; improve cooperation with non-governmental organisations in the process of implementation and protection of the rights of the child, and inform the public about the rights of the child and about the status of the rights of the child.

Question 2. Please update the Committee on measures taken to assess the impact and results of all laws and regulations that are relevant for children, including the current National Plan of Action for Children (2013–2017). Please explain what human and financial resources were allocated for its implementation, how its implementation will be assessed, what kind of follow-up policy framework is planned and how it is going to be funded.

3. **The Anti-Discrimination Law**, adopted in 2017, explicitly lists under Article 13 the prohibition of discrimination against the child, which is considered to be any distinction between marital and non-marital children, giving priority to children of one gender over the children of the other gender, distinction on the basis of expressed opinions or beliefs of parents or guardians and family members of the child, as well as distinction between children on other discriminatory basis.

4. Also, the **Law on the Prohibition of Discrimination against Persons with Disabilities**, under Articles 20, 24 and 27 covers comprehensively all the known and possible grounds and forms of discrimination against children with disabilities in the field of family relations, and also the prohibition of discrimination at all levels of education, in the area of social and child care, as well as in sports, recreation and leisure activities.

5. Beginning from 2011, surveys as to the degree of discrimination in Montenegrin society have been carried out (on a bi-annual level), resulting in a ranking of the most discriminated social groups, with the results showing that the Roma, LGBTI, persons with disabilities, persons with AIDS and HIV+, the elderly, women and minorities are among the most discriminated groups. **According to these surveys, children did not appear as a significantly discriminated social group.**

6. In the health sector, the relevant laws related to the health care of children are the Law on Health Care and the Law on Health Insurance.

7. All children have the right to a comprehensive, continuous, affordable, equity-based health care, through compulsory health insurance. The health condition of children is monitored since newborn, immediately after birth through the Apgar method, and further, by a paediatrician (neonatologist). At birth and in the later development period, children are screened for early diagnosis of health disorders and timely provision of adequate health protection measures.

8. At the end of 2017, the Ministry of Labor and Social Welfare initiated the analysis of the 2013–2017 National Plan of Action for Children (NPAC). The goal of NPAC analysis is a comprehensive examination of the implementation thereof. The analysis comprises several different research methods and should provide validation of data through cross-check from multiple sources.

9. As concerns budget estimates, 2013–2017 NPA analysis (NPA) has shown that most of the respondents involved in the NPA analysis believe that the extra budgetary funds will be required to secure further steps in the implementation of the next NPA. Since the budget for the implementation of 2013–2017 NPA was limited to regular budget line of the ministries, its impact remains limited. NPA is more of a guideline, and also an obligation of ministries and other stakeholders, rather than a factor of influence by itself. Therefore, extra budgetary funds would be required to increase the impact of the NPA to the well-being of children in Montenegro. These additional budget lines could come from the so-called NGO funds, international development projects and donations.

Question 3. Please inform the Committee on actions taken to develop a centralized and modern system for collecting and analysing data, disaggregated, among others, by age, sex, ethnic or social origin, urban/rural areas, for the effective monitoring and assessment of the impact of laws, policies and programmes for all areas covered by the Convention and its Optional Protocols.

10. "Social Card — Social Welfare Information System (SWIS)" project is the backbone of the social and child protection reform. SWIS is connected to the information systems of 9 relevant institutions, to ensure automatic data exchange, with the aim of improving the efficiency and effectiveness of social measures and raising the level of quality of services. The information system covers almost all business processes related to social and child care in social welfare centres: social benefits, as well as case management procedures (estimation of foster care adequacy, foster care, guardianship, protection against domestic violence, juvenile delinquency, supervision over the exercise of parental rights, accommodation in institutions, etc.). It is useful to note that all necessary communication and exchange of tasks between case managers and supervisors is also carried out through the information system.

11. The Social Card has also been successfully implemented in five social and child care institutions, two of which deal with children: Children's Home "Mladost" and Centre for Children and Youth "Ljubovic".

12. Through the realisation of activities in the development of the information system in the public health sector, i.e. by electronic linking of all public health institutions within a single software, preparatory activities are underway to link the information system with the Health Insurance Fund of Montenegro and the Institute for Public Health, the completion of which would create the conditions for collecting all the data necessary for the public health sector.

13. Within the MEIS application (Montenegrin Education Information System) data are collected for each employee, pupil and entire infrastructure. Every school employee undergoes the application training, all of whom have own competencies. The data are entered during the entire school year and are kept in a single database. The MEIS application was upgraded by the parent portal (www.ocjene.edu.me), through which each parent with a user name and password has access to data relating to his child.

Question 4. Please provide information on the efforts undertaken to adopt a clear provision on the definition of the child in all national legislation, particularly concerning the exceptions for marriages under the age of 18. Please also indicate how children are recognized as individual rights holders.

14. The Law Amending the Family Law ("Official Gazette of Montenegro" No. 53/16) provides under Article 5 of the Family Law the definition of a child in accordance with Article 1 of the Convention on the Rights of the Child, reading as follows: "A child means every human being below the age of eighteen years".

15. When it comes to marriages before the age of majority (under the age of 18), the Family Law under Article 24 provides that a person who has not reached 18 years of age cannot marry. Exceptionally, the court may allow the marriage of a child over 16 years old, in accordance with a special law (Law on extra-judicial proceedings).

16. Regarding children as individual right holders, the Family Law, inter alia, stipulates that the child is entitled to life and development in a healthy and safe living and social environment, is entitled to know who his parents are while such right may be limited only by the said law, a child who is capable of forming an opinion may inspect the registry of births and other documents related to his or her origin, is entitled to receive information on all important circumstances concerning parents, family members and other people he/she is close to, unless it is contrary to his/her best interest, is entitled to live with his/her parents, and to be cared for by parents rather than anyone else, while such right may be limited only by a court decision when this is deemed to be in the best interests of the child.

Question 5. Please provide information on the measures taken to reach universal birth registration, particularly for Roma, Ashkali and Egyptian children, children born to refugees and displaced and internally displaced people, and children abandoned by mothers.

Please also indicate whether the State party has undertaken a survey to identify children lacking birth registration and/or identity documentation and the measures taken accordingly.

17. The Law Amending the Law on Extrajudicial Proceedings adopted in 2015 introduced a new chapter which prescribes the procedure for determining the time and place of birth of persons not registered in the birth register, as well as children born outside the health institution, where the time and place of their birth cannot be determined in accordance with the law governing the keeping of registers. Therefore, these provisions prescribe the rules for conducting the procedure to determine the time and place of birth, to which purpose a prescription was made that the mentioned procedure can be initiated by a person whose time and place of birth is to be determined, a person with direct legal interest, a guardianship authority, while for children born outside the health institution the procedure may be initiated by other persons who report birth in accordance with the law governing the keeping of registers.

18. All maternity wards in the public health sector are obliged to report to the competent authorities that keep records of births, on the birth of Roma, Ashkali and Egyptians children. Registration of children born to refugee, displaced or internally displaced persons, as well as children abandoned by mothers is mandatory.

Question 6. Please clarify whether the Law on Amendments to the Family Law applies to corporal punishment in all settings, including alternative care settings and child-care institutions, and how its prohibition is being enforced. Please also inform on any public campaigns, and the results thereof, to raise awareness on the negative impact of corporal punishment and to promote non-violent and positive methods of childrearing.

19. Novelties in the Family Law include provisions relating to the corporal punishment of the child or any other cruel, inhuman or degrading treatment or punishment. To this end, Article 9a of the Family Law provides that the child shall not be subjected to corporal punishment or to any other cruel, inhuman or degrading treatment or punishment, which prohibition applies to parents, guardians and all other persons who are taking care of the child or come into contact with the child, whereas such persons are obliged to protect the child from such acts.

20. Thus, the prohibition refers to all settings. The manner in which the prohibition is enforced depends on whether the prohibition is violated by a parent, in which case the parent may be deprived of his parental rights if conditions are met, or by a guardian or another person.

21. With the UNICEF support, following the adoption of the Law Amending the Family Law, public education campaigns started with aim to raise awareness about the prohibition of corporal punishment of children, primarily among parents. The institute of "positive parenting" was promoted as an alternative to corporal punishment of children, while respecting the best interests of the child.

Question 7. Please provide updated information on measures taken to prevent and combat all forms of violence against children, including whether there is a mechanism to monitor the number of cases and the extent of abuse, neglect and maltreatment including within the family, in schools and in institutional or other care. Please also inform on measures to strengthen psychological and other support, including shelters for children with mental or behavioural issues and for child victims of abuse and neglect.

22. Every year the Ministry of Human and Minority Rights organizes trainings for children, parents and representatives of the civil sector and state institutions on the problem of violence against children and domestic violence. Trainings are organised in all cities where a significant number of members of the Roma and Egyptian populations live. In addition to such trainings, the Ministry also organizes campaigns for all Roma settlements on these topics, in order to inculcate as many participants as possible, that is, residents of Roma and Egyptian settlements. Special emphasis is placed on preventing contracted child marriages as one of the worst forms of violence against children and violation of children's rights.

23. The Ministry of Education in cooperation with the UNICEF Office in Montenegro, in school year 2005/2006, started with the project "School Without Violence — Safe School Environment".

24. By reviewing the subject courses (2013), the IT course is now upgraded to include goals related to the safety of children on the Internet and social networks.

25. UNICEF, NGOs, resource and day care centres have developed procedures to provide a mechanism for recognizing and acting in cases of violence against children with disabilities (in the family, institutions, physical, psychological, sexual, neglect, etc.).

26. National legislation of Montenegro is fully in line with the Council of Europe Convention on preventing and combating violence against women and domestic violence (including children).

27. Article 220 of the Criminal Code of Montenegro prescribes a criminal offense: domestic violence. The Criminal Code prescribes penalties for anyone who through the use of violence threatens the physical or mental integrity of members of their family or family community. Also, the Criminal Code prescribes a whole range of incriminations that can be related to the suppression of domestic violence, in particular with respect to the protection of children against violence.

28. The aforementioned amendments envisage as an aggravating circumstance in determining the punishment for a committed criminal offense, inter alia, if the offense was committed against a person belonging to a particularly vulnerable category of persons (children, persons with disabilities, pregnant women, elderly, refugees).

Question 8. In light of the increased poverty rate reported by the State party in paragraph 117, please provide the Committee with updated information on the implementation of the strategy for social and child protection development (2013–2017), and how its results and impact will be assessed, as well as on any plan for the next period.

29. The Government of Montenegro adopted the 2018–2022 Strategy for the Development of Social and Child Protection Systems with the 2018 Action Plan for the implementation of the Strategy in order to improve the quality of life of social and child protection beneficiaries and empower them for an independent and productive life.

30. For the purposes of the preparation of the new strategy, the "Analysis of the implementation of the 2013–2017 Strategy for Social and Child Protection Development" was done, with the professional and technical assistance of UNICEF.

31. In line with the results of the "Analysis of the Implementation of the 2013–2017 Strategy for Social and Child Protection Development in Montenegro", the following reasons for the adoption of a new strategy can be identified:

- There is a need to improve the normative framework and quality system in social and child protection in relation to: the standards of social and child care services, the system of licensing of service providers, the system of licensing of professional workers, the system of accreditation of the training programme, organisation, norms, standards and method of work in social welfare centres and supervisory support;
- There is a need for further development and improvement of social and child care services;
- There is a need for further reduction in the number of users who use accommodation services in social and child care institutions, with a special focus on children;
- There is a need for further development of family accommodation-foster care services, with a special focus on non-kinship accommodation;
- There is a need for greater involvement of local governments in improving the quality of social and child care in local communities;
- There is a need to increase the participation of civil society organisations, non-governmental organisations, businesses, entrepreneurs and individuals in the provision of social and child care services in a sustainable way.

32. **The goal** of the Strategy is to improve the quality of life of social and child protection beneficiaries and their empowerment for an independent and productive life.

33. **Aims** include the enhanced normative framework in social and child protection, improved quality system in social and child protection and improved social and child care services and created preconditions for the continuation of deinstitutionalisation.

Question 9. In view of the fiscal challenges that the State party faces over the next two years, including a projected fiscal deficit of around 8% of GDP which will contribute to substantial financing needs, a rise in public debt, as well as the proposed fiscal consolidation measures to address these challenges, please provide information on measures planned to safeguard the available resources for the realisation of children's rights, particularly economic, social and cultural rights.

34. Within the budget funds, which are annually allocated to the Ministry of Labor and Social Welfare, funds are planned that represent the regular budget lines of the Ministry, which are also aimed at the development of social and child care services. Services are financed according to the priorities, needs and development of municipalities.

Question 10. Please provide the Committee with a detailed update on measures taken to ensure inclusive and equitable quality education for all children, including children living in rural areas, Roma, Ashkali and Egyptian children, and children with disabilities. In particular, please explain what measures are being taken to increase the quality of schools, lower the costs of attendance and increase primary school completion rates.

35. The most important step in the process of integrating members of the Roma and Egyptian populations into the society is certainly action in the field of education, because educated Roma and Egyptians are the driving force for the integration of the entire community. For this reason, the Ministry of Human and Minority Rights provides funds each year for the allocation of textbooks for all pupils of Roma and Egyptian children in the first, second and third grades of primary schools.

36. In order to facilitate the integration of Roma and Egyptian pupils into all aspects of the social life of the Montenegrin society, and to stimulate the education in secondary schools.

37. The Ministry of Human and Minority Rights each year provides funds for scholarships for high school pupils and students of Roma and Egyptian populations in the budget. Scholarships amount to 60.00 euros per month for high school pupils and 150.00 per month for students.

38. In addition, guaranteed enrolment quotas on the principle of affirmative action are provided, amounting to 1% for all study programmes of the University of Montenegro for students of Roma and Egyptian populations.

39. In working with Roma and Egyptian children, the focus is on their integration, the continuity of improving school and social attainment.

40. At the beginning of the 2017/2018 school year, 2,192 RE pupils (1,190 m and 1,000 f) were enrolled: 190 pupils attended pre-school education (113 m and 77 f); 1,860 pupils were enrolled in elementary schools (998 m and 862 f); secondary education is attended by 142 pupils (79 m and 63 f).

41. In June 9, 2017, a preparatory kindergarten for 111 Roma and Egyptian pupils was organised in 9 pre-school institutions (Bar, Tivat, Herceg Novi, Kotor, Cetinje, Niksic, Podgorica, Berane and Bijelo Polje), who were not covered by formal education, and gained right to enrol in the first grade. The Institute of Education conducted training for 22 educators and financially supported 9 mediators.

42. In municipalities where a significant number of RE population lives: Podgorica, Niksic, Berane, Bijelo Polje, Tivat, Herceg Novi, Bar, Ulcinj, Kotor, Cetinje, Pljevlja, we have developed an additional mechanism of integration into regular preschool activities.

43. Campaign for enrolment of RE children in elementary and secondary schools in Podgorica, Niksic, Herceg Novi and Berane has also been carried out.

44. Closed Division Department of ES "Bozidar Vukovic Podgoricanin" at Konik camp was closed, while pupils were enrolled in 7 elementary schools in Podgorica: "Bozidar Vukovic Podgoricanin", "May 21st", "Marko Miljanov", "Savo Pejanovic", "Vuk Karadzi", "Vladimir Nazor" and "Oktoih". There are 65 first-graders in Podgorica.

45. Through the programme "Student Volunteerism", linguistic support and additional classes have been provided to pupils of 7 city schools in Podgorica.

46. The Ministry of Education provided transportation for all pupils of RE population in Podgorica, with about 80,000 euros allocated for such purpose.

47. The Institute of Education has formed a team for the prevention of dropouts, which meets monthly with the aim of identifying problems and preventing the risk of dropouts.

48. All interested high school pupils are enrolled at faculties (24 students).

49. For the school year 2018/19, it is planned to finance 20 mediator associates from the budget for social inclusion for work in schools.

Question 11. Please provide information on measures taken to implement the new Law on Asylum to ensure full access of asylum-seeking and refugee children to civil registration, to the social protection system and to health care and psychological support. Please clarify whether the law includes a fair and comprehensive procedure, with adequate procedural guarantees, for determining statelessness.

50. Pursuant to the Law on Civil Registers, the registration of births, marriages and deaths and other legally established data concerning foreigners, related to or in connection with personal and family status, i.e. registration of civil status occurring in Montenegro, are done in the civil registers. Full access to civil registration for children seeking asylum and refugee children is enabled in practice.

51. Pursuant to the Law on International and Temporary Protection of Foreigners, a foreigner seeking international protection, and also a child seeking international protection, are entitled to accommodation, which includes: accommodation in the Reception Centre, food and clothing, compensation for public transport costs, if the transport is necessary for participation in a procedure for the awarding of international protection or the exercise of other rights in accordance with this Law, as well as financial assistance. In order to ensure access to such rights, the Rulebook on the rules of stay and home rules was adopted in the Reception Centre. The regulation on the amount of financial assistance for a foreigner seeking international protection is to be adopted. The above-mentioned regulation will create conditions for full access to social protection rights.

52. Asylum seekers and also the child seeking asylum acquire the right to social protection, which is by scope and content same as for the Montenegrin citizens. Thus, asylum seekers are entitled to accommodation and financial assistance provided by the state. In order to ensure access to such rights, the Rulebook on the conditions of accommodation and ways of providing accommodation for asylum seekers and foreigners under subsidiary protection was adopted. The regulation on the amount of financial assistance for asylum seekers and foreigners under subsidiary protection is in the process of adoption. The above-mentioned regulations create the conditions for full access to these rights.

53. Pursuant to the Law on International and Temporary Protection of Foreigners, foreigners seeking international protection, and also foreign children seeking international protection are entitled to urgent medical assistance, necessary treatment of diseases and serious mental disorders (diagnostics, treatment at all levels of health care in Montenegro and medicines from the list of medicines that are prescribed and issued at the expense of the Health Insurance Fund). According to the Rulebook on the rules of stay and home rules in the Reception Centre, in the course of admission to the Centre, a foreigner seeking international protection, as well as children seeking international protection are provided with a mandatory medical examination, while the necessary medical care and assistance are provided during their stay. Asylum seekers, as well as children asylum seekers, are entitled to health care and acquire the capacity of an insured person in accordance with the regulations regulating healthcare and health insurance, same as Montenegrin citizens.

54. Funds for the provision of health services to asylum seekers and asylees, as well as children asylum seekers and asylees, are provided from the State budget.

55. In the Reception Centre, a foreigner seeking international protection and thus also children who seek international protection, get psychological support by professional staff through appropriate psychological diagnosis and treatment.

Question 12. Please provide information on the measures taken to implement the Committee's previous recommendations on the Optional Protocols on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict, including the criminalization of the recruitment of children into armed groups and the establishment of mechanisms to identify children who may have been involved in armed conflict abroad.

56. Recommendations by the UN Committee relating to the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography are included in the objectives and also the measures and activities under the 2013–2018 Strategy for the Fight against Trafficking in Human Beings.[1] To achieve the stated objectives through the implementation of concrete activities of the Action Plans for 2013, 2014, 2015, 2016, 2017–2018, a number of preventive and educational activities aimed at young people, especially groups at risk, have been realised.

57. To update the data previously submitted for the preparation of the report, the following is given below.

58. **In order to strengthen the professional capacities** of all those representatives of institutions who may come into contact with victims of trafficking in human beings/children, a large number of trainings and courses are conducted by specialised institutions for such purpose.

59. In this regard, during 2016–2017 the Human Resources Directorate implemented the following programmes:

- Programme 1. "Strengthening the level of awareness of the phenomenon of human trafficking at the local level", intended for councillors from local parliaments and representatives of local self-government;
- Programme 2. "The role of healthcare workers in the fight against human trafficking";
- Programme 3. "The Role of Social Welfare Centres and Inspection Services in the Fight against Trafficking in Human Beings";
- Programme 4. "Strengthening the skills for early identification and referral of potential victims of human trafficking in Montenegro with a special focus on multi-agency cooperation".

60. In 2017, another programme was launched: "The Role and Possibilities of Action by the Ministry of Foreign Affairs and the Diplomatic Consular Representative Offices in the fight against human trafficking".

61. At the Police Academy in 2016, a total of 32 academicians of the Police Academy underwent training on the Crime Topic: Human Trafficking.

62. In cooperation with the Institute for Social and Child Protection, the Office for Combating Trafficking in Human Beings in 2016 implemented the second phase of the project, which started in 2015, aimed at strengthening the multidisciplinary cooperation of representatives of institutions for the purpose of recognition and proactive identification of victims of trafficking in human beings.

63. In 2016, 137 representatives of the institutions responsible for implementing the Agreement on cooperation in the fight against trafficking in human beings at the local level took part in round tables organised with the aim of improving the knowledge among the local representatives of institutions.

64. During the first half of 2016, 8 trainings on the topic "Fight against Trafficking in Human Beings" have been held, attended by 91 border police officers.

65. During 2016, prosecutors' representatives took part in several anti-trafficking conferences.

[1] http://www.antitrafficking.gov.me/rubrike/nacionalna-strategija/116182/Vlada-utvrdila.html.

66. As part of the preparation of Montenegrin soldiers for participation in peacekeeping missions and operations, all members of the Army have also been trained in the field of trafficking in human beings.

67. During 2017, representatives of the judiciary underwent training on the topic of identification, investigation, proving of the criminal offense of trafficking in human beings and respecting the rights of victims in criminal proceedings, as well as training for representatives of the judiciary that were appointed as members of the Service for the Protection of Victims of Trafficking in Persons and Domestic Violence.

68. In order to proactively identify children victims of trafficking among children in street situations and children from Roma communities and unaccompanied minors, uniformed police officers of the Police Directorate, as well as officers of the crime police have been carrying out the "Prosjak" action. This action implies the detection of persons (children) who are begging, as well as further action in cooperation with the officials of the Social Welfare Centres. These activities are primarily aimed at providing assistance to children, determining whether or not children are accompanied, while further actions and measures are undertaken in cooperation with the prosecution to determine whether there are elements of a criminal offense. Also, all Security Centres and Security Departments continuously carry out "Trafficking" campaign. This campaign produced positive results in the field of data collection, the filing of new cases and monitoring of human trafficking and illegal migration issues, as well as other related offenses.

69. The campaign "Stop Trafficking in Human Beings" was continuously communicated on the territory of the entire Montenegro, and included the broadcasting of a TV spot "Stop Trafficking in Human Beings", which also promoted the Government SOS anti-trafficking line (11 66 66). Within this campaign, posters with SOS telephone for victims of trafficking were placed at all border crossings.

70. In 2016, the Ministry of Human and Minority Rights conducted 10 educational campaigns in Roma and Egyptian settlements concerning the problem of violence against women and illegal child marriages. In 2017, continued the implementation of trainings and lectures for elementary school pupils concerning these topics.

71. The Office for Combating Trafficking in Human Beings, with the support of the Red Cross of Montenegro, organised on 8 April — International Romani Day, a conference on the topic "Strengthening the link between the Roma and Egyptian populations with the institutions in charge of resolving the problems of contracted marriages, begging and the fight against trafficking in human beings".

72. Within the framework of the celebration of October 18, 2016, a special emphasis was placed on strengthening the resistance of young people in relation to the phenomenon of trafficking in human beings and understanding contracted child marriages as forms of the offense of trafficking in human beings — characteristic especially for RE population representatives.

73. In cooperation with the Ministry of Health and the Office for Combating Trafficking in Human Beings in October 2016, a Healthcare Workers Information Bulletin was prepared and published, which aims to inform healthcare professionals about the concept of trafficking in human beings, indicators for early identification of victims of trafficking in human beings, as well as recommendations of the World Health Organization.

74. In cooperation with the National Anti-Trafficking Office, **the Ministry of Education** has developed a leaflet containing indicators for identifying victims of trafficking that are adapted to the educational institutions, within which the indicators to recognize children victims of begging are separately presented, as one of the most common forms of child labour exploitation, as well as indicators of illegal child marriages.

75. With the support of IOM, in 2017, a print edition of Directory of institutions/organisations directly involved in the process of assistance, protection and reintegration of victims of trafficking in human beings in Montenegro was issued.

76. Progress has been made in the creation of preconditions for quality **reintegration, resocialisation and repatriation of victims** of trafficking/children by facilitating free attendance to various specialised courses for rapid training of victims, as well as providing opportunities for their priority employment by signing the Protocol on Cooperation between the Office for Combating Trafficking in Human Beings and Union of Employers of Montenegro.

77. **As regards the strengthening of international cooperation**, bilateral cooperation agreements in the fight against human trafficking of Montenegro with Albania and Kosovo were strengthened through the execution by the National Coordinator for Combating Trafficking in Human Beings of the Declaration on the Application of Standard Operating Procedures for Identification, Referral, Voluntary Return and Protection of Victims of Human Trafficking.

78. Amendments to the Criminal Code from 2017 include amendment to Article 42a of the Criminal Code.

79. The amendments envisage as an aggravating circumstance in determining the punishment for the committed offense, among other things, where the offense was committed against a person belonging to a particularly vulnerable category of persons (children, pregnant women, elderly people, and refugees).

80. In the case of child pornography referred to in Article 211 of the Criminal Code, the definition of child pornography has been introduced so that the child pornography is deemed to be any material representing a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.

81. Officials of the Department for the Fight against Organised Crime and Corruption of the Police Directorate in the previous period filed 5 criminal charges against 5 persons on grounds of reasonable suspicion that they committed the criminal offense under Article 211 of the Criminal Code (child pornography) by keeping on their computers photographs of children in illicit sexual poses. We have to note that there were no children from Montenegro on the photographs.

82. In the field of combating extreme radicalism, terrorism and inclusion in armed conflict, the Government of Montenegro adopted the 2016–2018 Strategy for the Suppression of Violent Extremism with an action plan for its implementation.

Part II

Question 13. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

(a) New bills or laws, and their respective regulations;

83. First of all, the definition of a child in accordance with the Convention on the Rights of the Child was introduced, which is indirectly derived from the rule that age of maturity is acquired from the age of 18. With this in mind, it is prescribed that "a child means every human being below the age of eighteen years".

84. In accordance with the holistic approach in the domain of the rights of the child, it is stipulated that the rights of the child are indivisible, interconnected and fully exercised. There is explicit provision of the State's duty to take all necessary measures to protect the child from discrimination, not only from neglect, abuse and exploitation. For the purpose of more efficient protection of the child, it is the duty of everyone to notify the guardianship authority of the violation of the child's rights that comes to their knowledge.

85. It is also provisioned that all entities involved in the exercise, promotion and protection of the rights of the child shall have the duty to cooperate.

86. Provisions have been introduced concerning the principle of non-discrimination and the creation of equal opportunities for all children. To this end, there exists an anti-discrimination clause concerning the prohibition of all forms of direct and indirect discrimination against the child due to any real or presumed personal trait of the child himself, his parents, guardians, family members or close relatives of the child. The exception from this principle is foreseen, where special measures are introduced to achieve full equality, protection and progress of children or groups of children in an unequal position. Those special measures are the basic instrument for equal opportunities policy for all children, which the state is committed to pursue.

87. Furthermore, having in mind that in practice difficulties arise as to assessing and determining the best interests of the child, the basic elements to be taken into account when assessing the best interests of the child have also been prescribed. These elements were established in light of the views of the Committee on the Rights of the Child, expressed in General Comment No. 14 on the right of the child to have his or her best interests taken as a primary consideration.

88. The novelties are also provisions relating to the prohibition of the corporal punishment of the child or any other cruel, inhuman or degrading treatment or punishment. In this regard, it is explicitly stipulated that the child should not be exposed to such actions, as they affect the physical and moral integrity of the child. The prohibition applies to parents, caregivers, but also all other persons who take care of the child or come into contact with the child, with the obligation of those persons to protect the child from such acts.

89. In the section on child rights, several new provisions have been added. An article regulating the right of the child to know his or her background is a new provision that provides for the right of the child to receive information about important circumstances concerning his/her parents, family members and other persons he/she is close to, unless it is contrary to his/her best interests. Rights guaranteed by the Convention on the Rights of the Child are also prescribed: the right to life and development in a healthy and safe living and social environment, the right to respect and protect dignity, which is inviolable, and the right of the child to have his/her personality and individuality respected. Furthermore, a child older than 15 years of age and capable of forming an opinion shall be entitled to decide with which parent he/she wants to live, so that, in the event of a dispute over the exercise of parental rights, the court will make a decision in accordance with the child's desire, unless this is contrary to his/her best interest, which the court is required to explain in detail. A similar solution is also prescribed for the exercise of the rights of the child over the age of 15 years who is capable of forming an opinion, to decide on whether to maintain a personal relationship with a parent with whom he/she does not live.

90. In the event of a dispute concerning the maintenance of personal relationships of a child who has reached the age of 15 and is capable of forming an opinion, with a parent with whom he/she does not live, it is prescribed that the court will take care that the passage of time does not lead to adverse consequences to the relationship between the child and a parent who does not live with him/her.

91. Furthermore, the new provisions recognise the child's right to maintain personal relations with relatives and other persons with whom he/she is close to, and regulate the way of exercising and protecting such right. The circle of persons with whom a child has the right to maintain personal relations is defined also, namely: siblings, grandparents, former foster parents, former or present marital or extra-marital spouse of parents and other persons with whom the child is close to. All these persons are entitled to maintain personal relationships with the child.

92. Provisions relating to the rights of the child in the field of healthcare have been reformulated so that, in the process of exercise of the healthcare of the child who is capable of reasoning, the child has the right to confidential counselling with the medical doctor and other professional, as well as the right to be informed about the state of his/her health, if this is in his/her best interests. By prescribing this rule, the position of the child is reinforced as an autonomous subject and created conditions that the child, not fearing

his/her parents, may promptly seek medical advice and assistance, which contributes to the preservation of their health.

93. Provisions relating to the right of the child to express his/her opinions freely are reworded to make them generalised and binding. To this end, the child is granted the right to express his/her opinion on all matters concerning him/her.

94. One of the important novelties in the Family Law is also the fact that it is the duty of everyone, including parents, that when deciding on issues concerning a child, the child's opinion should be given due attention, in accordance with the age and maturity of the child, with clear instructions to assess the maturity of the child taking into account the degree of his physical, emotional, intellectual and social development.

95. Furthermore, the efficiency and effectiveness of mechanisms for judicial and administrative-legal protection of children's rights have been improved. It is the duty of the court and all participants in the procedure to treat the child participating in the procedure with special care, taking into account the situation in which the child is, his/her needs and well-being, with full respect for his/her dignity, personality and individuality. The communication with the child is carried out in a way that information and advice is provided to the child in a timely manner in accordance with the age and maturity of the child.

96. As concerns the activities related to the **improvement of the legislative framework in the fight against human trafficking**, the Parliament of Montenegro on 29 June 2017 passed the Law Amending the Criminal Code of Montenegro, which contains changes related to Article 210 — Pandering and Article 444 — Trafficking in Human Beings, as well as some new related Articles, but also those that are directly related to the protection of women's rights, and hence the trafficking in human beings.

97. Changes in Article 210 of the CC — Pandering, refer to prostitution organised by several persons for the purpose of gaining profit, as well as in terms of the amount of the penalty imposed.

(b) New institutions (and their mandates) or institutional reforms;

98. One of the most important novelties in the Family Law is the provision of assistance and support to the child taking part in proceedings relating to family and legal relationships, by introducing a **new institution — a person for child support**. To this end, a provision is made that in the proceedings relating to family relations, the court may, if it deems required due to the intensity of the conflict between the child and a parent or between parents, appoint a person to support the child, for a child under the age of 14 years without his consent, while a child's consent is required for a child over 14 years of age. Support persons are experts in the appropriate profile, who are on the list of support persons established by the Ministry of Justice.

99. When it comes to determining the child's opinion, there are still two possibilities: the child directly expresses his/her opinion or expresses it indirectly. A child who has reached ten years of age has the right to express his/her opinion directly and can give his/her opinion in the presence of a support person, or a person chosen by a child if the support person is not appointed.

100. In order to evaluate the child's opinion in an adequate way, the court's obligation is to pay due attention to the child's opinion.

101. In order to fully protect the rights and interests of the child as a party to the proceedings and for his/her adequate representation, it is stipulated that a temporary representative (of a child) shall be appointed from the ranks of lawyers, from the list of **lawyers who have passed training for the representation of children in proceedings from family-legal relations**.

(c) Recently introduced policies, programmes and action plans and their scope and financing;

102. On 2 February 2017, the Government adopted the Action Plan for the Implementation of the 2017–2018 Strategy for the Fight against Trafficking in Human Beings. The Action Plan defines a total of 96 measures in the areas of prevention and education, identification, protection of victims, prosecution of perpetrators, coordination and partnership, international and regional cooperation. The funds for the realisation of the activities envisaged by the document are mainly provided from the budget lines of individual stakeholders, including support from international organisations as partners.

103. In accordance with the amendments to the Law on Preschool Education, the Eng' sh language began to be taught in pre-school institutions for three-years-old children. Also, in elementary schools, English has become a mandatory course from the first grade, while the second foreign language, as compulsory, is taught from the sixth grade. The number of students in classrooms has been reduced, so that now the first grade classes may accommodate up to 28 pupils, exceptionally, with the minister's approval, up to 30 pupils. Amendments to the law envisage a weekly reduction in the number of classes in line with the new General Part of the Elementary School Curriculum.

104. One of the goals of education is to "ensure the achievement of an internationally comparable level of knowledge, skills and competences". Also, the goals are to develop students' basic competences and learning; natural-mathematical and digital literacy; social and civic competences, cultural sensitisation; socio-emotional values and skills.

105. One of the forms of the growth of coverage includes free services in the form of interactive services. They are organised at pre-school institutions for children up to 6 years of age, who live in remote rural areas where there is no educational unit.

106. The Ministry of Education, in cooperation with UNICEF, conducted the campaign "Everybody in the kindergarten" in the municipalities of Andrijevica, Berane, Plav, Bijelo Polje, Rozaje, Kolasin, Mojkovac, Pluzine, Savnik, Pljevlja, Zabljak.

107. The Montenegrin education system for the disabled children, sets inclusive education as the first choice and imperative: pupils attend regular schools. In inclusive education, the basis for working with students with special educational needs is an individual developmental education programme (IROP) that is developed separately for each child.

108. Special schools have been transformed into resource centres — oriented to support inclusive education (early intervention, mobile activities, trainings, assistive cabinets: specialised teaching and teaching resources, textbooks Braille, Daisy format, sign language, etc.). An opportunity is given to get involved in integrated classes in regular schools with the joint teaching of individual courses with peers in regular classes. The Institute of Education coordinates regional mobile teams that visit schools as support to inclusive education: they assist with the preparation of IROP, provide methodical advice, teaching adaptation, etc. For students with special educational needs, the schools hire teaching assistants as technical support for the teaching year. Inclusive portal has been established, within which new ideas, examples of good practice, etc. are provided. Literature has been provided as support to the staff in this field.

Table 3 — Budget allocations 2014–2016

Year	*Programmes*	*Plan*	*Execution*	*The percentage of execution*
2014	Pre-school education	14 688 253.34	14 635 705.21	99.64
	Primary education	69 100 954.91	68 845 737.62	99.63
	Secondary education	31 683 981.09	31 445 620.94	99.25
2015	Pre-school education	15 501 144.00	15 434 205.73	99.57
	Primary education	69 642 799.27	69 615 307.87	99.96
	Secondary education	30 660 831.42	30 609 704.03	99.83
2016	Pre-school education	18 098 951.30	18 045 890.36	99.71
	Primary education	74 252 693.08	73 948 434.07	99.59

Year	*Programmes*	*Plan*	*Execution*	*The percentage of execution*
	Secondary education	35 259 391 06	34 610 598 92	98 16

109. The Draft Law on Foreigners fully implements the standards set forth under Directive 2008/115, and in particular the provisions relating to the right of unaccompanied minors under the return procedure to get the assistance of the appropriate authorities other than those exercising the return, as well as the obligation of the Member States to ensure that the children are returned to a family member, a designated representative or an appropriate institution for admission to the country of return, and relating also to the restrictions and special protection measures in connection with detention of children and families.

110. In March 2016, the Government of Montenegro adopted the 2016–2020 Strategy for Social Inclusion of Roma and Egyptians with an accompanying action plan.

111. Institutional reforms have been provided through new instruments with the introduction of new policies and programmes in the healthcare system:

- Adoption of the Code for health institutions and healthcare workers for the marketing of substitute milk (adopted in 2017);
- The Buprenorphine drug delivery guidelines for drug addicts and other psychoactive substance users;
- A new service at the primary level of health care Assertive psychiatric team (a psychiatrist, a psychologist, a social worker and a nurse), for home visits to psychiatric patients who were on hospital treatment;
- Since October 2017, in accordance with the established programme, the training has begun for the paediatricians and radiologists for ultrasound examination of hips in children in the first year of life.

(d) Recent ratifications of human rights instruments.

112. Montenegro is a party to almost all international legal instruments in the field of human rights and despite a small administration regularly reports on their implementation.

113. In the period 2013–2017, Montenegro has become a party to the following international legal instruments:

- Optional Protocol to the Convention on the Rights of the Child on a Communications Procedures OP-CRC-IC, 24 September 2013;
- Optional Protocol to the International Covenant on Economic, Social and Cultural Rights OP-ICESCR, 24 September 2013;
- Convention on the reduction of statelessness of 1961, 5 December 2013;
- Convention on Preventing and Combating Violence against Women and Domestic Violence, 22 April 2013.

Part III

Data, statistics and other information, if available

Question 14. Please provide consolidated information for the past three years on the budget lines regarding children, particularly with regard to health care, family support, education and training of administrative personnel, by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the allocation of resources to support Roma, Ashkali and Egyptian children and children with disabilities.

Overview of the allocation of resources for basic financial benefits in the field of child protection for years 2015, 2016 and 2017

		Year		
Or. No.	*Basic financial benefits in child protection*	*2015*	*2016*	*2017*
1	Benefit for a newborn	770 311.01	788 978.69	800 387.19
2	Child allowance	4 184 462.11	3 239 636.79	3 281 064.41
3	Cost of nutrition in pre-school institutions	353 070.69	251 814.12	274 729.70
4	Entitlement to transportation costs — children and youth	282 252.36	192 138.72	235 844.30
5	Refund of the compensation of wage and compensations of wage for maternity leave, i.e. parental leave	13 898 951.52	11 715 244.37	11 398 567.58
6	Benefit based on the birth of a child	2 938 323.81	2 931 855.57	3 188 657.94
7	Refund of the compensation of wage and compensation of wage for half full time hours	59 547.08	77 252.18	100 070.87
8	Benefit based on the birth of three or more children	0.00	54 021 220.17	31 495 368.80
9	Benefits based on Constitutional Court's decisions	0.00	0.00	2 756 794.38
	Contribution for pension and disability insurance (decision of the Constitutional Court)	0.00	0.00	2 000 489.03
	Total	**22 486 945.58**	**73 218 170.61**	**55 531 974.20**

Question 15. Please provide, if available, updated statistical data disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on:

(a) All those who work in care institutions accused, indicted and convicted of child abuse and neglect, including sexual abuse and corporal punishment;

114. By checking the register of records and statistics of convicts at the Office for the Execution of Criminal Sanctions, it has been established that the Institute in the last three years did not accommodate persons working in care institutions convicted of child abuse and neglect, including sexual abuse and corporal punishment.

(b) Children living in poverty and extreme poverty;

115. In December 2017, there were 14,361 children in the families receiving financial benefits.

(c) Children working in the informal sector and children in street situations;

116. Within the framework of its regular activities, as well as increased inspections during the summer tourist season on the Montenegrin coast, the Labour Inspectorate recorded:

- In 2014, 11 cases of engagement of children in informal work from 15–18 years of age, of which 5 male and 6 female;
- In 2015, 25 cases of engagement of children in informal work from 15–18 years of age, of which 11 male and 14 female;
- In 2016, 12 cases of engagement of children in informal work from 15–18 years of age, of which 6 men and 6 females;
- In 2017, 40 cases of engagement of children in informal work from 15–18 years of age, of which 25 male and 15 female.

117. In these cases, the inspectors have taken measures within their jurisdiction, which include the fining of the employers, and imposing the measure of obtaining the necessary documentation (the doctor's certificate and the consent of the parents) in order to fulfil the legal conditions for the work of such children. It should be noted that children were not caught on heavy or dangerous jobs, but only jobs of salespersons or auxiliary workers in shopping facilities and other sales outlets for fruit, toys and bijouterie, and often in a store within a residential building of a person who was also a parent of the caught child.

118. The labor inspection sporadically encountered cases of work engagement of children under the age of 15, who were immediately removed from the sales outlets, while the employers were cautioned of the fact that children of such age cannot be legally employed at all.

119. When it comes to employment of children, one should also bear in mind the Montenegrin tradition to protect children from hard work, who are even employed on easier jobs while in regular education.

120. The Labor Inspection did not record cases that could be treated as the worst form of child labour in any activity, nor were there any reports to such concern.

121. There are no labour inspectors in charge of monitoring solely the work of children.

122. Children in street situations are not considered to be or treated as offenders. Criminal legislation of Montenegro does not prescribe offenses that would treat children who live on the street as offenders, nor can they be considered criminally liable for such purpose.

(d) Child victims of trafficking and abduction;

123. Data on children whom the coordination team for the implementation of the Agreement on cooperation in the fight against trafficking in human beings has assessed to be potential victims of trafficking in human beings, who have stayed in the National Shelter for Victims of Trafficking:

2014

14 years old, a Roma girl, a Kosovo citizen.

2015

14 years old, a Roma girl, a citizen of Montenegro.

14 years old, a Roma girl, a citizen of Montenegro.

13 years old, a Roma girl, a citizen of Montenegro.

2016

16 years old, a Roma girl, a citizen of Montenegro.

12 years old, a Roma girl, a citizen of Montenegro.

15 years old, a Roma girl, a citizen of Montenegro.

2017

15 years old, a Roma girl, a citizen of Serbia.

13 one-year-old, a Roma girl, a citizen of Serbia.

(e) Child marriages.

124. Out of the total number of underage users of the shelters for victims of trafficking in human beings (9), 7 of them were potential victims of trafficking in human beings for the purpose of concluding an illegal marriage.

125. In 2015 and 2016, the police prosecuted eight criminal offenses under Article 216 of the Criminal Code of Montenegro — child marriage, whereas in the current year, 12 criminal offenses under Article 216 of the CC were prosecuted in 10 months.

126. Namely, out of the total number of 30 victims of this criminal offense in the mentioned period, only two victims were of male sex while 28 or 93.3% were females.

127. Twelve criminal offenses were committed in Rozaje (42.8%); four in Berane (14.2%); three in Bar (10.7%); two in Plav, Bijelo Polje and Podgorica each (7.1%) and one in Herceg Novi, Kotor and Ulcinj each (3.5%).

Question 16. Please provide data, disaggregated by, inter alia, age, sex, ethnic and national origin, socioeconomic background and geographic location, for the past three years, on:

(a) The enrolment and completion rates, as percentages, of the relevant age groups in pre-primary, primary and secondary schools;

128. Preschool upbringing and education includes children aged up to 6 years (before elementary school) in institutions which can be state-owned (public) or private. The total number of enrolled pupils in pre-school institutions in the school year 2017/18 is 20,762 (2015/2016 — 16,972, 2016/2017 — 18,952).

129. The total number of pupils in elementary schools in 2017/2018 was 68,000 (2015/2016 — 68,110; 2016/2017 — 68,276).

130. The total number of pupils in secondary schools in school year 2017/2018 was 28,084 (2015/2016 — 28,098; 2016/2017 — 27,744).

(b) The number and percentage of students who drop out and repeat;

131. The number of students who repeated in the school year 2016/2017 in elementary schools was 352, in secondary schools 88.

132. The Ministry of Education, in cooperation with UNICEF, implements a programme aimed at improving the MEIS application, as well as accompanying procedures at the school level in order to recognise the risk of early dropouts in primary and secondary schools.

133. In school year 2015/2016 — from the total of 28,149 pupils in secondary schools, 153 pupils, or 0.54%, had no longer been in the education system by the end of the school year. The said percentage is not considered to be high and troubling. Furthermore, the number of expelled students in the same year was 1,125. These pupils are the so-called "hidden dropouts", which gives an unrealistic picture of the total dropout rate. For all these reasons, currently under development are risk indicators, registration parameters, warning criteria, and planning of measures to be taken.

(c) The teacher-pupil ratio.

Teacher pupil ratio	*2015/16*	*2016/17*	*2017/18*

Teacher pupil ratio	*2015/16*	*2016/17*	*2017/18*
Preschool	13.07	15.66	15.79
Elementary	13.06	13.09	13.04
High school	10.95	10.75	10.87

Question 17. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographic location, for the past three years, on the number of children with disabilities:

(a) Living with their families;

(b) Living in institutions;

134. In 2007, Montenegro set up foster care as a priority form of alternative child protection in 2007 under the **Family Law** as well as the **Law on Social and Child Protection**, and strengthened the obligation of the State to provide financial benefits for families and individuals providing accommodation for children, as well as for children, as accommodation users, and introduced a system of licensing for foster families.

135. Strengthening cross-sectoral cooperation in order to prevent the separation of children from families is one of the key activities of the reform of the social and child care system in accordance with the Government's deinstitutionalisation policy.

136. The implementation of the **Operational Plan for the transformation of the Children's Home in Bijela, the only institution in Montenegro for the accommodation of children without parental care** is underway, in order to reduce the pressure on the institution and return children to their families, provide them with alternative forms of protection, foster family or other services within the local community. The transformation of the institution will lead to expanding its activities, through the development of support services for the family and the community, which will result in better quality of care for a much larger number of children.

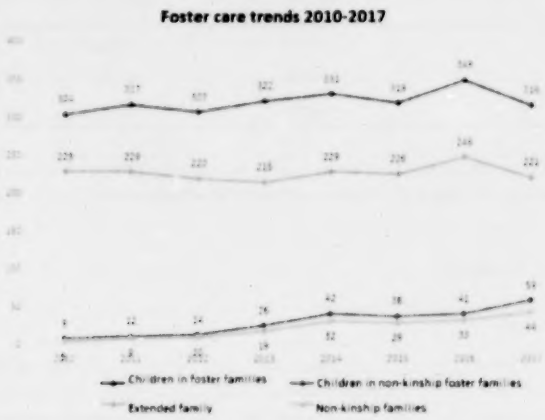
137. Parallel to the decrease in the number of children in institutions, there was an increase in the number of children in foster families, and especially in non-kinship foster families. Montenegro has traditionally well-developed foster care within an extended family, so we have worked on the development of non-kinship foster care.

138. In 2010, there were 313 children in foster care — 373 children at the end of 2017, an increase of 20%.

139. There were 9 children living in non-kinship foster families in 2010, and at the end of 2017, 44 children, representing an increase of 389%.

140. At the same time, there were 156 children in the Children's Home Mladost in Bijela in 2010, and at the end of 2017 84 children, which represents a decrease of 46.15%.

141. Our priority was to move children from 0–3 years old from institutions to the end of 2017. **I want to emphasize that we no longer have children under 3 years of age in institutions.**



142. These data indicate that there are continuous activities implemented to reduce the number of children in the institution through the support of the biological family and the development of family accommodation — foster care as an alternative form of protection.

143. The implementation of a pilot project of a family support worker is underway, aimed at preventing the separation of children from their families and their accommodation in institutions. It is necessary to ensure the sustainability of this service as one of the priorities of the reform, without which deinstitutionalisation cannot be carried out.

144. The number of day care centres for children with disabilities increased from 1 in 2009 to 12, operating in 2017.

145. The first small community group for children without parental care started operating in Bijelo Polje in 2015, accommodating 6 children with disabilities.

Data on the number of children who currently (as of December 31, 2017) stay in the "Mladost" Bijela Children's Home, disaggregated by sex, age, and children with or without developmental disabilities

	Both genders total		*Male*		*Female*	
	without developmental impairments	*with developmental impairments*	*without developmental impairments*	*with developmental impairments*	*without developmental impairments*	*with developmental impairments*
No. of children **age <3**	/	/	/	/	/	/
No. of children **age 3+**	59	25	37	13	22	12
Total, by gender	**59**	**25**	**50**			**34**
Total number of children		**84**				**84**

(c) Attending regular primary schools;

(d) Attending regular secondary schools;

Number of children with special educational needs in the education system 2014–2017

	No. of pupils with special educational needs — regular schools			
Level of education	*2014 2015*	*2015 2016*	*2016 2017*	*2017 18*

Preschool	89	392	926	3 368
Elementary school	2 282	2 361	3 095	727
Secondary school	304	339	656	797
	2 675	**3 092**	**4 677**	**4 892**

(e) Attending special schools;

Level	*BC "1 June", Podgorica*	*BC "Podgorica"*	*BC Kotor*
Elementary schools	37	26	19
Secondary schools	34	10	18

(f) Out of school;

146. We do not possess this information. We only possess data on the number of children in the education system. It is planned to establish a system to determine which children are not educated.

(g) Abandoned by their families.

Question 18. Please provide the Committee with an update of any data in the report that may have been outdated by more recent data collected or other new developments.

Question 19. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.

147. The MIA/National Office for Combating Trafficking in Human Beings, in cooperation with the UNICEF Representative Office in Montenegro in August 2017 launched a project "Preparation of the Standard Operating Procedures for the Treatment of Children Deprived of Parents and Unaccompanied Children with Special Focus on the Proactive Identification of Potential Victims of Human Trafficking". An international expert was engaged in the course of the first phase of the project, who drafted a document, which was completed and adapted to national framework through several meetings of the multisectoral working group. The material resulting from such activities relates to the actions of the competent institutions towards children separated from their parents and unaccompanied children along migration routes. The second phase of the project will include activities aimed at representing to the representatives of the institutions the materials that will be a useful tool for them to act in cases of intensified inflow of migrants and refugees into the territory of Montenegro, concerning a more sensible approach to children at risk of various forms of exploitation in the context of trafficking in human beings.